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ABSTRACT

This guide was developed to address issues related to work-based learning experiences at an employer's worksite and to explain when and how federal and state (Florida) labor laws and minimum wage provisions apply. It includes the following documents: "Definitions of Terms--Work Based Learning" (Institute for Workforce Competitiveness); "School-to-Work (STW) Opportunities, the Fair Labor Standards Act, and the Florida Child Labor Law: A Guide to Work-Based Learning, Federal and State Child Labor Laws, and Minimum Wage Provisions" (Florida Department of Labor and Employment Security); and "STW Training and Student Learner Exemption Agreements." It presents annotations of six materials with availability information. Materials for the bibliography were selected from a search of the ERIC (Educational Resources Information Center) database on DIALOG, the World Wide Web, Florida Department of Labor and Employment Security, and Florida STW Clearinghouse databases. Also included is a list of federal and state contacts. (KC)

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Florida's Work-Based Learning and Child Labor Law

- Resource Guide -

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Florida's Work-Based Learning and Child Labor Law

RESOURCE GUIDE

Sponsored and published by
Florida School-to-Work Joint Services Office
Department of Education
Frank T. Brogan, Commissioner

Department of Labor and Employment Security
Doug T. Jamerson, Secretary

Developed and produced by
Florida School-to-Work Clearinghouse
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Florida's Work-Based Learning and Child Labor Law Resource Guide is one component in a variety of products and activities funded by the School-to-Work (STW) Opportunities Act of 1994.

This resource guide was produced by the Florida School-to-Work Clearinghouse, Educational Services Program (ESP), Florida State University.

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INTRODUCTION

As School-to-Work (STW) partnerships are formed and as local initiatives are implemented, questions will arise about whether students' work-based learning experiences are covered under the federal Fair Labor Standards Act (FLSA).

STW initiatives cover a wide range of activities, some of which are subject to state law and/or the FLSA. Federal and state laws specify particular limits on the employment of minors (under the age of 18). Under the School-to-Work Opportunities Act of 1994, no waivers of the FLSA are permitted; under state law, waivers are permitted in certain cases. However, participation in a STW initiative carries no additional compliance obligations under the FLSA. Working with STW students is just like working with other minors.

This document was developed to address issues related to work-based learning experiences at an employer's worksite and to explain when and how federal and state labor laws and minimum wage provisions apply. It presents an annotated bibliographic listing of materials with availability information. Also included are reprints of several documents and sample training agreements, as well as a list of federal and state contacts.

Materials for inclusion in this bibliography were selected from a search of the ERIC (Educational Resources Information Center database on DIALOG), WWW (World Wide Web), Florida Department of Labor and Employment Security, and Florida STW Clearinghouse databases.

For additional information, contact the Florida STW Clearinghouse, 251 Sliger Building, 2035 East Dirac Drive, Tallahassee, FL 32306-2800, (800) 428-1194 or (850) 644-5549.

Florida Department of Labor and Employment Security. 1997. *School-to-Work Opportunities, the Fair Labor Standards Act, and the Florida Child Labor Law: A Guide to Work-Based Learning, Federal and State Child Labor Laws, and Minimum Wage Provisions.* Tallahassee, FL: The Florida Department of Labor and Employment Security.

Florida International University. 1997. *Definition of Terms—Work-Based Learning.* Miami, FL: The Institute for Workforce Competitiveness and Florida School-to-Work Evaluation Liaison Office.

DEFINITIONS OF TERMS—WORK-BASED LEARNING

Four basic prerequisite criteria underlie each of the terms defined below. Any activity to be considered a "work-based learning activity" should meet each of the criteria.

1. The experience must be an integral part of the planned curriculum or program of study of the student.

2. The experience must be based on specific competencies.

3. The experience must be quantifiable and "documentable," as defined, and fall within reasonable data-collection resource demands.

4. The experience must be FTE credit generating except for approved shadowing and mentoring experiences as defined below.

Apprenticeship

Three types of STW relevant apprenticeships are defined: (1) youth apprenticeship, (2) preapprenticeship, and (3) registered apprenticeship. The present Florida definitions for preapprenticeship and registered apprenticeship are deemed appropriate for this document and are cited from the relevant Florida Statutes. Florida Statutes do not include a definition for youth apprenticeship.

1. **YOUTH APPRENTICESHIP PROGRAM**—a career-based program of academic and technical instruction in the public school system composed of an in-school component and a coordinated paid work-experience component. The youth apprenticeship follows a career major strategy based on identified career ladders and has formal connections to, and advanced placement in, registered apprenticeships and/or related postsecondary occupational/technical programs.

2. **PREAPPRENTICESHIP PROGRAM**—"means an organized course of instruction in the public school system or elsewhere, which course is designed to prepare a person 16 years of age or older to become an apprentice and which course is approved by and registered with the Bureau of Apprenticeship of the Division of Jobs and Benefits and sponsored by a registered apprenticeship program." (Section 446.021 [6], Florida Statutes [F.S.], 1995)

3. **REGISTERED APPRENTICESHIP PROGRAM**—"means an organized course of instruction, registered and approved by the division, which course shall contain all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices including such matters as the requirements for a written apprenticeship agreement." (Section 446.021 [6], F.S., 1995)

Clinical/Practicum Experience

Work-based experiences that offer students job-preparatory activities in a work setting under the supervision of a practicing employee/professional. Both students and clinical instructors are typically supervised by school-based coordinators or intermediary organizations who monitor placements to ensure that appropriate instruction occurs. Successful completion of clinical or practicum experiences normally results in credit toward certification, licensure, or a professional degree. Such experiences should extend over 40 or more hours, should be at the work site, and are normally unpaid.

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Cooperative Education

A structured method of secondary or postsecondary job-preparatory instruction consisting of 40 or more hours on the work site whereby students alternate or coordinate their studies with a paid job that is related to those studies. Instruction is based on written training and evaluation plans agreed to by the school and employer; the students receive credit for both classroom and work experiences.

Internships (Student)

Exploratory or preparatory paid or unpaid work-site experiences where students work for an employer or agency for 40 or more hours to learn about a particular industry or occupation. Activities may include special projects, a sample of tasks from different jobs, or tasks from a single occupation. Internships may include community service (service learning) placements if they meet the above requirements and are related to the student's program of study/career major.

Job Shadowing

Unpaid career-awareness or exploratory activities in which the middle school, high school, or postsecondary student, teacher, or adult learner follows an experienced employee on the work site for four or more hours to learn about a particular occupation or industry. Job shadowing is a valued work-based activity, but since it does not normally meet all of the assumptions listed above, individual job-shadowing experiences will not be tracked as a part of the overall data-collection/reporting system. Job-shadowing experiences should continue to be reported on a class and school level.

Mentoring (Work-Based)

Mentoring experiences are work-site paid or unpaid career-awareness, exploration, or preparation experiences of eight or more hours wherein the student is paired with an employee mentor who possesses the skills, knowledge, and workplace behavior the student seeks to acquire. The mentor instructs the student, challenges the student to perform well, and assesses the student's performance in consultation with the employer and school representative. Mentoring is valued work-based methodology but is generally one aspect of other work-based activities such as apprenticeships, clinical/practicum experiences, internships, cooperative education, and on-the-job training and thus will not be individually tracked as a part of the overall data-collection/reporting system. Mentoring experiences should continue to be reported on a class and school level.

On-the-Job Training

Paid or unpaid job-preparatory hands-on training for 40 or more hours in specific occupational skills provided at the work site. On-the-job training is a general term, which may be a part of the activities provided under cooperative education, apprenticeship, or other job-preparatory training modalities.

School Enterprise

School-enterprise experiences are activities carried out in a school or employer-sponsored enterprise in which goods or services are produced by students. School enterprises provide career-awareness, -exploration, or -preparation experiences for 40 or more hours and normally involve students in all aspects of the business to the extent practicable. They may be conducted on or off the school site but must be a part of students' regular school program.

School-to-Work Opportunities, the Fair Labor Standards Act and the Florida Child Labor Law

A Guide to Work-Based Learning, Federal and State Child Labor Laws, and Minimum Wage Provisions

Florida Department of Labor and Employment Security
Doug Jamerson, Secretary

October 1997 Edition

School-to-Work Opportunities

The School-to-Work Opportunities Act of 1994 (P.L. 103-239) is paving the way for a new approach to learning in America. Through this act, states and localities are building quality school-to-work opportunities systems that prepare young people for further education and careers in high-skill, high-wage jobs.

School-to-Work is based on the proven concept that education for all students can be made more relevant and useful to future careers and lifelong learning. Rather than just memorizing facts out of a textbook, students will learn by applying what they have learned to real life and real work situations.

Developed with the input of businesses, education, labor and community-based organizations that have a strong interest in how American students prepare for the changing world of work in the 21st century, the effort to create a national school-to-work system contains three fundamental elements:

★ ***Work-based learning***. Employers provide structured learning experiences for students that develop broad, transferable skills. Work-based learning provides students with opportunities to study complex subject matter as well as vital workplace skills in a hands-on, "real life" environment.

★ ***School-based learning***. School-to-Work programs restructure the educational experience so that students learn rigorous academics through career applications. Teachers work together with employers to develop broad-based curricula that helps students distill and deepen the lessons of their work experience. Students actively develop projects and work in teams, similar to modern workplace.

★ ***Connecting activities***. Connecting activities ensure the coordination of the work and school-based learning components of a school-to-work system. It may include matching students with the work-based learning opportunities of employers, linking participants with other community services necessary to assure a successful transition from school to work, and increasing opportunities for minorities, women and individuals with disabilities.

School-to-Work is jointly administered by the U.S. Departments of Education and Labor. For information regarding the School-to-Work Opportunities Act, call the Florida Department of Labor and Employment Security School-to-Work Joint Services Office at (850) 488-7228, the Department of Education School-to-Work Joint Services Office at (850) 488-7394, or the School-to-Work Office in Washington, D.C. at (202) 401-6222.

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School-to-Work Opportunities

3rd Edition **October 1997**

Work-Based Learning, Florida Child Labor Law and the Fair Labor Standards Act

This guide on work-based learning, the Florida child labor law and the Fair Labor Standards Act (FLSA) is designed to serve employers, agency placement staff, labor organizations and all those involved in school-to-work initiatives. The guide will help with the understanding of a variety of issues related to students in the workplace.

This guide was co-produced by the U.S. Department of Education and the Department of Labor's Office of School-to-Work Opportunities in support of the School-to-Work Opportunities Act (P.L. 103-239). The Office of the Solicitor General and the Employment Standards Administration of the Labor Department. ***this guide is designed as an introductory overview of FLSA and is not intended to be used as an official interpretive document. Pertinent Florida law has been incorporated into the guide by the Florida Department of Labor and Employment Security.

For more specific information and technical assistance on FLSA, please call the Department of Labor's Wage-Hour Division, listed on page 18. For general information regarding School-to-Work Opportunities, call the Florida Department of Labor and Employment Security (DLES) School-to-Work Joint Services Office at (850) 488-7228, the Florida Department of Education School-to-Work Joint Services Office at (850) 488-7394, or the National School-to-Work Offices at (202) 401-6222. For information about Florida child labor laws, call the Bureau of Compliance, DLES, at 1-800-226-2536.

Photocopying and wide dissemination of this guide are encouraged.

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A GUIDE TO WORK-BASED LEARNING, STATE AND FEDERAL CHILD LABOR LAWS, AND MINIMUM WAGE PROVISIONS

Introduction

From its inception, the Fair Labor Standards Act has protected the rights, safety and well-being of young workers in the United States. With the passage of the School-to-Work Opportunities Act in 1994, questions have arisen concerning whether a student's work-based learning experience is covered under the Fair Labor Standards Act. Questions also have arisen regarding coverage under state law.

Our goal in producing this guide is to assist you -- the employers, educators, agency placement staff, labor organizations and all those who make school-to-work (STW) systems possible.

School-to-work initiatives cover a wide range of activities, some of which are subject to state law and/or FLSA and some of which are not. Federal and state laws specify particular limits on the employment of minors (under the age of 18). Under the School-to-Work Opportunities Act, no FLSA waivers are permitted. However, participation in a STW initiative carries *no additional* compliance obligations under FLSA; working with STW students is just like working with other minors. Under state law waivers are permitted in certain cases.

You will want to read this guide in its entirety in order to become familiar with the issues. Because the particulars of each work-based learning experience may differ, the total picture -- and the legal terminology -- must be taken into account when determining whether Florida child labor law and/or the FLSA may apply. If, after reading this guide, you believe yours is not a clear-cut case, we urge you to contact the Wage-Hour Division listed on page 17, or the appropriate state agency (see pages 18 and 19).

The guide addresses issues related to student learning experiences at an employer's worksite and explains when and how federal and state child labor laws, and minimum wage provisions apply. It is organized in three parts:

Part I - Work-Based Learning

Part II - Understanding the Fair Labor Standards Act (FLSA) and the Florida Child Labor Law

Part III - General Information

Part I. WORK-BASED LEARNING

Part I explains a variety of student learning experiences that may take place at an employer's worksite. Some learning experiences may not be employment relationships. The elements and criteria of such learning experiences are discussed here.

1. WHAT IS WORK-BASED LEARNING UNDER STW?

Work-Based Learning

Work-based learning is a learning experience for a student at an employer's worksite. It is one of the three core elements of STW systems, along with school-based learning and connecting activities. It includes work experience (both paid and unpaid), workplace mentoring, and broad instruction, to the extent practicable, in all aspects of an industry.

In addition, work-based learning includes a planned program of job training and work experience at progressively higher levels. This planned program, coordinated with school-based learning, relates to the career majors of students and leads to the award of skill certificates.

Instruction in general workplace competencies includes developing a positive work attitude, employability, and participative skills. These components are also part of the work-based learning component of STW.

2. ARE ALL STW WORK-BASED LEARNING EXPERIENCES SUBJECT TO FLSA AND/OR STATE LAW?

No. Activities occurring in the workplace that do not involve assigned duties are not considered "employment" according to the Fair Standards Labor Act or Florida law. Some examples of these activities include:

- career awareness and exploration
- field trips to a worksite
- job shadowing (whereby a student follows and observes an employee in his/her daily activities, but performs no work)

a. What are the elements of a learning experience at an employer's worksite?

Elements of a Learning Experience

There are four elements that constitute a learning experience under STW.

(1) A planned program of job training and work experience for the student, appropriate to the student's abilities, which includes training related to preemployment and employment skills to be mastered at progressively higher levels that are coordinated with learning in the school-based learning component and lead to the awarding of a skill certificate;

(2) A sequence of which encompass activities that build upon one another, increasing in complexity and promoting mastery of basic skills.

(3) Expose the student to all aspects of an industry to promote the development of broad, transferable skills.

(4) Provides real or simulated tasks or assignments which will push students to develop higher-order critical thinking and problem-solving skills.

If only some of these elements are met, it is possible that a STW student would be an employee under state law or under FLSA; however, all of the facts and circumstances would have to be considered to decide if an employment relationship exists and whether the student or enterprise is covered by the Florida child labor law or by FLSA. The offices listed on page 17 and 18 can help you make the correct determination.

b. When is a learning experience not employment, as defined by FLSA and Florida law?

Student Criteria

A student enrolled in a STW learning experience as described above would *not* be considered an employee within the guidelines of FLSA nor would they under state law if *all* of the following criteria are met:

(1) The student receives ongoing instruction at the employer's worksite and receives close on-site supervision throughout the learning experience, with the understanding that any productive work that the student performs would offset the burden of training and supervision provided by the employer.

Student Criteria (cont.)

(2) The placement of the student at a worksite during the learning experience does not result in the displacement of any regular employee. The presence of the student at the worksite cannot result in an employee being laid off, cannot result in the employer not hiring an employee it would otherwise hire, and cannot result in an employee working fewer hours than he or she would otherwise work.

(3) The student is not entitled to a job at the completion of the learning experience but this does not mean that employers are discouraged from offering employment to students who successfully complete the training.

(4) The employer, student, and parent or guardian need to understand that the student is not entitled to wages or other compensation for the time spent in the learning experience. The student may be paid a stipend for expenses such as books or tools.

When *all four* of the above student criteria are met, an employer would not be required to pay wages to a student enrolled in a STW learning experience.

c. What does it mean if a learning experience is not subject to FLSA or state law?

It means that a student is not an employee, wages are not paid, and neither federal nor Florida child labor laws are applicable. Payment of a stipend is optional. However, a stipend may not be used as a substitute for wages. A stipend is generally limited to reimbursement for expenses such as books, tuition, travel or tools. There are no specific stipulations for the length of a learning experience, as long as the four criteria listed above apply throughout the period of the student's participation.

While child labor laws do not apply if there is not an employment relationship, STW systems are encouraged to adhere to child labor laws with regard to hazardous working conditions. Instruction and training in occupations that involve the use of machinery such as slicing machines, trash compactors, and bread dough kneading machines that have been known to cause serious injuries. Child labor laws provide guidance that can assist STW participants in determining hazardous jobs or working conditions for students. (See Exhibits in Part II.)

PART II: UNDERSTANDING THE FAIR LABOR STANDARDS ACT

Part II applies to those STW situations where it is determined that (1) an employment relationship exists,[1] and (2) the enterprise or the student is covered under the FLSA. Both conditions must be met for STW work-based learning experiences to be subject to the federal minimum wage, overtime, and child labor laws described in this section. State law is applicable as long as there is an employment relationship.

Participation in a STW initiative carries no additional compliance obligation under FLSA; working with STW students is the same as working with other minors.

3. WHEN IS A WORK-BASED LEARNING EXPERIENCE SUBJECT TO FLSA?

Employment Relationship

Learning experiences that do not meet *all four* student criteria listed on pages three and four are employment relationships.

According to the Fair Labor Standards Act, the definition of "to employ" means to suffer or permit to work. Case law has determined that an employment relationship "does not depend upon the level of performance or whether the work is of some educational and/or therapeutic benefit."[2]

When a student is an employee, he or she is subject to state law.

Coverage under FLSA

a. When is a student who is an employee covered under the FLSA?

The FLSA covers employees who are performing work for any type of enterprise that is either engaged in interstate commerce, producing goods for interstate commerce, handling, selling, or otherwise working on goods or materials that have been moved or produced for such commerce.

---

[1] As a general rule of thumb, if you pay wages or compensation, you create an employment relationship.

[2] This definition of "employ" pertains only to FLSA. Employment is defined differently under different laws, such as those dealing with income tax, workers' compensation, occupational safety and health, unemployment insurance, and others. You'll want to make sure you are in compliance with these other laws as well. (Check the blue pages of your local telephone book for the appropriate phone numbers to call for further information on these programs.)

A covered enterprise under FLSA would

Coverage under FLSA (cont.)

1. Have an annual gross volume of sales made up of or business done of not less than $500,000 (exclusive of excise taxes at the retail level that are separately stated).

2. Operate a hospital or an institution that primarily cares for those who are physically or mentally ill, disabled or aged, and who reside on the premises; a school for children who are mentally or physically disabled or gifted; a preschool; an elementary or secondary school; or an institution of higher education (whether operated for profit or not for profit).

3. An activity of a public agency.

b. Can a student be covered, even if the enterprise is not?

Yes. An enterprise may not be covered under the FLSA, given the above criteria, but certain employees of the enterprise may be, depending on the nature of their work. Specifically, if any employee is engaged in interstate commerce, this employee is covered and the provisions of FLSA apply to him or her.

Examples of interstate commerce include taking or placing out-of-state phone calls; sorting or sending out-of-state mail; receiving papers coming from out of state; and handling, shipping, and receiving products that are moving through interstate commerce.

(For more information on coverage, see the *Handy Reference Guide to the Fair Labor Standards Act*, or call the Wage-Hour Division Office. When calling, give detailed information on your particular situation because coverage depends upon the specific facts of each case.)

4. WHAT ARE THE IMPLICATIONS OF AN EMPLOYMENT RELATIONSHIP COVERED UNDER THE FLSA?

When a student who is an employee is covered by the FLSA, he or she must be paid no less than the federal minimum wage,[3] receive no less than one and one-half times the regular rate of pay for each hour worked in excess of a 40 hour workweek, and be employed in accordance with child labor laws.

---

[3] Unless your school or business holds a subminimum wage certificate issued by the Wage-Hour Division. Individuals eligible for employment under a subminimum wage certificate include: students with disabilities participating in a school-related work program, student-learners in a vocational education program, and full-time students in retail or service establishments, agriculture, or institutions of higher education.

Fair Labor Standards Act

STW & FLSA: WHAT YOU NEED TO KNOW

Employment Relationship

(for definition see # 3)

+

Students and or Enterprise

(for coverage criteria, FLSA - Covered see # 3)

=

Conformance to Federal Child Labor Laws

(or State/Local laws if more protective)

+

Payment of Federal Minimum Wage

(Or State Minimum Wage if higher)

+

Overtime Pay at 1 ½ times Regular Pay

(For each hour worked in excess of 40 hours per workweek - or State Overtime rate if higher)

NO

FLSA

WAIVERS

5. WHAT ARE THE STANDARDS AND SPECIAL PROVISIONS FOR EMPLOYING MINORS?

Employing Minors

Once it is determined that there is an employment relationship covered by FLSA, then certain standards and limitations apply to the employment of STW students, according to their age. Exhibits one, two and three (on pages 11, 13 and 14) explain the standards and related special provisions for occupations that employ youths ages 14 and older.

Ages 14-17, see Exhibits 1-3

a. Are there any exceptions to the standards?

Yes, there are exceptions for student-learners and apprentices. A "student-learner" is a student who is enrolled in a course of study and training in a cooperative vocational training program under a recognized state or local educational authority. They may also be in a similar program conducted by a private school.

Student-Learners, Apprentices, WECEP

An apprentice is a participant in an apprenticeship program legally registered by the Department of Labor's Bureau of Apprenticeship and Training or by an authorized state agency.

To qualify as an apprentice, one must obtain the appropriate certificate from the local U.S. Department of Labor Bureau of Apprenticeship and Training (BAT) office, or a state office approved by BAT.

The Work Experience and Career Exploration Program (WECEP) also includes special provisions that permit 14 and 15 year-old STW enrollees to be employed during school hours and in occupations otherwise prohibited by regulation. (See Exhibit 3.)

In addition, if your school or business holds a subminimum wage certificate issued by the Wage-Hour Division, it may pay the following individuals a subminimum wage: students with disabilities participating in a school-related work program; student-learners in a vocational education program; and full-time students in retail or service establishments, agriculture, or institutions of higher education.

b. How about standards and special provisions under Florida law?

Florida law applies anytime there is an employment relationship with a minor. Waivers for state standards may be granted; however, a waiver which requests approval of an activity prohibited by federal law would be denied.

c. May students under age 14 participate in STW Programs?

Under Age 14

Yes. Students under age 14 may participate in education and training activities. These may include, but are not limited to, presentations in the classroom by employers and employees, field trips to businesses, and job shadowing (where a student follows and observes an employee in his/her daily activities, but performs no work).

In general, students under age 14 may not be employed in Florida. Therefore, while they may participate in school-to-work education and training activities, employment subject to the FLSA or Florida law may not be a component of their program. There are some limited exceptions.

d. May agricultural activities be included in STW Programs?

Agricultural Programs

Yes, but standards differ according to the age of the student. Youth enrolled in STW activities may be employed on farm jobs, but the child labor regulations contain limitations on their employment and generally limit work to periods outside local public school hours.

For more information concerning the employment of minors in agriculture, contact any of the offices listed on pages 17 and 18.

6. ARE MINORS PERMITTED TO DRIVE ON THE JOB?

Driving Restrictions

No. Almost all driving of motor vehicles on public roads and highways is prohibited, except for minors who are 16 or 17 years of age performing farm related activities.

The driving restriction even applies to student-learners and apprentices who, based on special provisions, are allowed to work in certain hazardous occupations.

a. Are any exceptions made?

Exceptions to Driving Restrictions

Driving that is occasional and incidental is permitted. Specifically, driving is incidental when it is limited to no more than 20 percent of the minor's work in any workday and does not exceed five percent of the minor's work time in any workweek when performed.

Driving is occasional the minor drives (a single episode of operating a motor vehicle on public roads or highways as part of his or her employment) on average no more than once in a workweek or no more than four times in a calendar month.

b. What about home-to-work travel?

No restrictions are placed on home-to-work driving for students who have a valid drivers' license and are driving their own personal vehicles, because the activity is outside of work hours and is not covered.

7. IS PROOF OF AGE REQUIRED?

Proof of Age

Employers are required to keep on file the birth date of every employee under age 19. Because there may be a time when a minor gives an employer a false date of birth, and the employer unwittingly violates the minimum age standards, we *strongly encourage* employers to obtain an *official age certificate* (birth certificate) that proves the validity of the date of birth.

Federal law requires: (1) a federal certificate of age, issued by the Wage-Hour Division; or (2) a state certificate, known as an age, employment, or working certificate or permit, issued by the appropriate state agency.

State law requires: (1) a copy of a birth certificate; (2) a copy of driver's license; (3) a copy of a passport or a visa; (4) a copy of state-issued identification card; or (5) an age certificate issued by the local school district.

EXHIBIT 1
FLORIDA STANDARDS FOR 16 AND 17 YEAR OLDS

The following standards apply to 16 and 17 year-old youths.

Hours Limitations

The hours 16 and 17 year-olds may work are limited to:

- Outside school hours, unless enrolled in a vocational education program,
- No more than eight hours when school is scheduled the following day,
- No more than 30 hours in a school week,
- Hours between 6:30 a.m. and 11:00 p.m. (when school is scheduled the following day),
- No more than six consecutive days,
- No more than four continuous hours without a 30 minute uninterrupted break.

Occupation Limitations

Minors may perform all work except in occupations considered too hazardous for all youth under the age of 18. The Hazardous Occupations (HOs) are:

- Manufacturing and storing explosives;
- Motor-vehicle drivers and outside helpers, including driving motor vehicles or working as outside helpers on motor vehicles or driving as a part of any occupation;
- Any mining occupation;
- Logging and sawmilling;
- Work where exposed to radioactive substances;
- Work involving the operation of power-driven hoisting devices, including the use of fork lifts, cranes and nonautomatic elevators;
- Work involving the operation of power-driven bakery machines;
- Work in the manufacturing of brick, tile and like products;
- Work involving wrecking, demolition and ship-breaking;
- **Work in or around toxic substances or corrosives, including pesticides or herbicides, unless proper field entry time allowances have been followed;
- **Work fighting fires;
- *Work on any scaffolding, roof, superstructure, heavy work in residential or nonresidential building construction, or ladder above six feet;
- *Work using power-driven woodworking machines, including the use of saws on construction sites;
- *Work using power-driven metal forming, punching, and shearing machines (permits the use of a large group of machine tools used on metal, including lathes, turning machines, milling machines, grinding, boring machines and planing machines);
- *Work involving slaughtering or meat-packing, processing, or rendering, including the operation of power-driven meat slicers in retail stores;
- *Work using power-driven paper-products and printing machines, including the operation and loading of paper balers in grocery stores;
- *Work in excavating, including work in a trench as a plumber;
- *Work on electrical apparatus or wiring;
- *Work operating or assisting to operate, including starting, stopping, connecting or disconnecting, feeding, or any other activity involving physical contact associated with operating a tractor over 20 PTO horsepower, any trencher or earthmoving equipment, fork lift, or any harvesting, planting, or plowing machinery, or any moving machinery.

* denotes occupations which are eligible for employment of apprentices or student learners under some conditions.
** denotes occupations in which employment is allowable in certain circumstances with waivers by the Florida Department of Labor and Employment Security.

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EXHIBIT 1- A
FLORIDA STANDARDS FOR 16 AND 17 YEAR-OLDS

The following standards apply to 16 and 17 year-old youths.

Exceptions to Occupation Limitations

Special Provisions for Florida Student-Learners and Apprentices - The eight Hazardous Occupations identified with an asterisk (*) permit the employment of apprentices and student-learners enrolled in youth vocational education programs under a recognized state or local education authority. Student-learners in STW programs will meet the student-learner exemption if the student is employed under a written agreement which provides:

(1) That the work of the student learner in the occupation declared particularly hazardous shall be incidental to the training;

(2) That such work shall be intermittent and for short periods of time and under the direct and close supervision of a qualified and experienced person;

(3) That safety instructions will be given by the school and correlated by the employer with on-the-job training;

(4) That a schedule of organized and progressive work processes to be performed on the job shall have been prepared; and

(5) That work in the hazardous occupation is *intermittent* and for *short periods of time. The work has to be* under the direct and close supervision of a journeyman and a necessary part of apprenticeship training.

Each written agreement will contain the name of the student-learner and be signed by the employer, the school coordinator and principal, and the parent or legal guardian. Copies of the agreement will be kept on file by both the school and the employer. This exemption for the employment of student-learners may be revoked in any situation when reasonable precautions have not been observed for the safety of employed minors. A high school graduate may be employed in an occupation in which he or she has completed training as a student-learner even though he or she is not yet 18 years of age.

Note: To qualify as an apprentice, one must obtain the appropriate certificate from the local U.S. Department of Labor Bureau of Apprenticeship and Training (BAT) office, or a state office approved by BAT.

State Law Waivers - The two hazardous occupations identified with a double asterisk (**) are waivable, in certain circumstances, by the Florida Department of Labor and Employment Security.

EXHIBIT 2
FLORIDA STANDARDS FOR 14 AND 15 YEAR-OLDS

The following standards apply to 14 and 15 year-old youths.

Hours Limitations

The hours 14 and 15 year-olds may work are limited to:

- outside school hours,
- no more than three hours on a school day or on a day preceding a school day,
- no more than 15 hours in a school week,
- no more than eight hours on a nonschool day,
- no more than 40 hours in nonschool weeks,
- hours between 7:00 a.m. and 7:00 p.m. (between June 1 and Labor Day they may work as late as 9:00 p.m.),
- no more than six consecutive days,
- no more than four continuous hours without an uninterrupted 30 minute break.

Occupation Limitations

In addition to the Hazardous Occupations listed in Exhibit 1 that are prohibited for minors under the age of 18, 14 and 15 year-olds may *not* work in the following occupations:

- cooking, other than at lunch counters and snack bars, and within the view of the customer,
- manufacturing, mining and processing;
- most transportation jobs;
- work in warehouses and workrooms;
- on construction jobs, except in the office away from the actual construction site;
- in any job involving hoists, conveyor belts, power-driven lawn mowers and other power-driven machinery;
- manufacturing, transporting, or using explosives or highly flammable substances;
- in oiling, cleaning or wiping machinery, or shafting or applying belts to pulleys;
- in freezers or meat coolers and all work in preparation of meats for sale, except wrapping, sealing, labeling, weighing, pricing, and stocking when performed in another area. This shall not prohibit work done in the normal operations of a licensed food service facility;
- in the operation of power-driven laundry or dry cleaning machinery, or any similar power-driven machinery;
- spray painting;
- alligator wrestling work in connection with snake pits, or similar hazardous activities;
- door-to-door selling of magazine subscriptions, candy, cookies, flowers or other merchandise or commodities, except merchandise for nonprofit organizations, such as the Girl Scouts of America or the Boy Scouts of America; and
- working with meat and vegetable slicing machines.

Exceptions To Occupation Limitations

The student-learner provisions applicable to some Hazardous Occupations for youth 16 and 17 years of age (as listed in Exhibit 1-A) do *not* apply to minors under the age of 16.

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EXHIBIT 3
SPECIAL PROVISIONS FOR 14 AND 15 YEAR-OLDS UNDER WECEP

The Work Experience and Career Exploration Program (WECEP) includes special provisions that permit 14 and 15 year-old STW enrollees to be employed during school hours and in occupations otherwise prohibited by regulation.

WECEP is designed to provide a carefully planned work experience and career exploration program for 14 and 15 year-old youths, including youths in STW programs, who can benefit from a career-oriented educational program. WECEP is designed to meet the participants' needs, interests, and abilities. Among other things, the program helps dropout-prone youths to become reoriented and motivated toward education and helps to prepare them for the world of work.

A state education agency with a school-to-work program may obtain approval from the Department of Labor for STW enrollees participating in the WECEP to be employed:

- up to three hours on a school day,
- up to 23 hours during a school week,
- any time during school hours,
- under variances granted by the Wage and Hour Administrator that permit employment of WECEP participants in otherwise prohibited activities and occupations.*

Any representative of the Governor who is interested in establishing a WECEP may forward a letter of application to the Administrator of the Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210. The provisions for WECEP are set by Regulations 29 CFR Part 570.35a. Approval to operate a WECEP is granted by the administrator of the Wage and Hour Division for a two-year period.

*Note: The regulations do not permit issuance of WECEP variances in manufacturing, mining, or in any of the 17 hazardous occupations listed in Exhibit 1.

PART III. GENERAL INFORMATION

Part III highlights pertinent information on state and local laws, waivers, terminology, and resources available.

8. WHAT ABOUT STATE AND LOCAL LAWS?

State and Local Laws

When there are differences among federal or state laws or regulations, or municipal ordinances, the stricter standard applies.

For instance, Florida has no minimum wage law; in this case, the federal minimum wage applies. Because it is beyond the scope of this guide to address each situation, we urge you to contact the Florida Department of Labor and Employment Security to ensure that you are in compliance with appropriate law.

9. ARE THERE WAIVERS?

Waivers

FEDERAL LAW

While Title V of the School-to-Work Opportunities Act does allow for the possibility of waivers for certain statutory and regulatory requirements, these do not apply to the Fair Labor Standards Act. In fact, the law specifically *prohibits* the Secretaries from waiving any statutory or regulatory requirement under any provision relating to labor standards and occupational safety and health.

If your situation involves an employment relationship and the work is covered by FLSA, you must meet all statutory and regulatory requirements for the employment of minors.

STATE LAW

Requirements imposed by state law may be waived in certain circumstances so long as the waiver would not violate federal law.

10. HOW IMPORTANT IS TERMINOLOGY?

Terminology

Terminology is very important because misunderstandings can often occur. School-to-Work systems have already developed a vocabulary which may be different from the terminology used under FLSA. Because of this, caution should be exercised in the use of terminology.

For instance, it is common for teachers, who have had unpaid internships, to assume that other positions can be called internships, and not be covered. This is not the case. As it relates to school-to-work programs, only those meeting the learning experience elements and student criteria on Pages three and four are not covered by FLSA.

We encourage you to contact Wage-Hour Division or Florida Department of Labor staff (see Pages ~~17~~-18) if you have any questions about the terminology. They can help to clarify the definitions of apprentice, employment relationship, enterprise, hazardous occupations, internship, interstate commerce, minor, stipend, student-learner, trainee, work experience, and other terms used under FLSA.

11. WHAT RESOURCES ARE AVAILABLE?

Resources

The following resources on FLSA are available from the U.S. Department of Labor Wage-Hour Division listed on Page 17:

Handy Reference Guide to the Fair Labor Standards Act, WH Publication 1282

Employment Relationship Under Fair Labor Standards Act, WH Publication 1297

Interpretive Bulletin, Part 785: Hours Worked Under the Fair Labor Standards Act of 1938, As Amended

The Child Labor Requirements in Nonagriculture Occupations Under the Fair Labor Standards Act, Child Labor Bulletin No. 101

The Child Labor Requirements in Agriculture Under the Fair Labor Standards Act, Child Labor Bulletin No. 102

The following resource can be obtained by calling National Institute for Occupational Safety and Health (1-800-356-4674):

Request for Assistance in Preventing Deaths and Injuries of Adolescent Workers. Cincinnati, OH: U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health, DHHS (NIOSH) Publication No. 95-125.

12. WHOM CAN WE CONTACT FOR ASSISTANCE?

Assistance

The Wage and Hour Division, part of the Employment Standards Administration of the U.S. Department of Labor, administers several labor laws including the Fair Labor Standards Act, Family and Medical Leave Act, Davis Bacon Act, McNamara-O'Hara Service Contract Act, Migrant and Seasonal Agricultural Worker Protection Act, and the Employee Polygraph Protection Act.

The Wage and Hour Division is committed to assisting with proper administration of STW programs. The Wage-Hour Office listed below can be contacted for informational and technical assistance at any level. They assist state offices that administer STW programs and the local partners involved in STW system implementation.

Specifically, Wage-Hour staff will help delineate the issues of a work-based learning experience and help make the correct determinations regarding FLSA application and compliance. They share an interest in promoting safe educational experiences that enhance the success of youth making the school-to-work transition and becoming effective and productive workforce participants.

As partners in this effort, Wage-Hour staff are committed to protecting the rights, safety, and well-being of youth workers and to serving you -- the partners who are vital to the success of School-to-Work Opportunities.

FOR FURTHER INFORMATION ON FLSA, CONTACT:

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
WAGE - HOUR DIVISION
1375 Peachtree Street, N.E.
Room 662
Atlanta, Georgia 30367
Phone: (404) 347-4801
Fax: (404)347-0183

FOR FURTHER INFORMATION ON FLORIDA CHILD LABOR LAW, CONTACT:
Florida Department of Labor and Employment Security
Division of Jobs and Benefits

Bureau of Compliance
2661 West Executive Center Circle
Tallahassee, Florida 32399-2150
Phone: (800) 226-2536 / (904) 487-2536
Fax: (850) 487-4928
Administrator: Alecia Faughn
Coordinator: Michelle Collins
Investigator: Don Symonette

Cocoa Jobs and Benefits
840 Forrest Avenue, Suite A
Cocoa, Florida 32922-7593
Phone: (407) 690-3220
Fax: (407) 690-3218
Investigator: Lori Shelby
Pager: (800) 241-4653 / PIN: 274-5120

Gainesville Jobs and Benefits
P.O. Box 2220
Gainesville, Florida 32602
Phone: (352) 955-2245
Fax: (352) 955-2067
Investigator: Jeff Parker

Palatka Jobs and Benefits
820 Reid Street, Suite B
Palatka, Florida 32177-3647
Phone: (904) 329-3724
Fax: (904) 329-3709
Investigator: Marshall Carroll

Orlando West Jobs and Benefits
3113 West Colonial Drive
Orlando, Florida 32808-8005
Phone: (407) 521-2578
Fax: (407) 297-2051
Investigator: Gene Ruryk
Pager: (800) 241-4653 / PIN: 274-5289

Winter Haven Jobs and Benefits
500 East Lake Howard, 4th Floor
Winter Haven, Florida 33882-1352
Phone: (941) 295-5957
Fax: (941) 259-5958
Field Supervisor: Herbert Mize
Investigator: Patricia VanHorn
Pager: (800) 241-4653 / PIN: 274-1691

Hollywood Jobs and Benefits
4205 Hollywood Boulevard
Hollywood, Florida 33021
Phone: (954) 985-4750
Fax: (954) 985-4759
Investigator: Perpetua Jiminez
Pager: (800) 241-4653 / PIN: 274-9717

Homestead Jobs and Benefits
381 North Krome Avenue
Homestead, Florida 33030
Phone: (305) 246-7015
Fax: (305) 242-5999
Investigator: Diego Niera-Flor

Belle Glade Jobs and Benefits
555 Southwest 16th Street
Belle Glade, Florida 33430
Phone: (561) 992-1393
Fax: (561) 992-1397
Field Supervisor: David Clark

Ft. Myers Jobs and Benefits
P.O. Box 7766
Ft. Myers, Florida 33911-7766
Phone: (941) 278-7140
Fax: (941) 278-7353
Investigator: Joeanne Thomas-Joseph
Pager: (800) 241-4653 / PIN: 274-1206

FOR FURTHER INFORMATION ON FLORIDA CHILD LABOR LAW, CONTACT:

Francisco R. Rivera, Senior Attorney
Florida Department of Labor and Employment Security
2021 Capital Circle, S.E
Room 307 Hartman Building
Tallahassee, Florida 32399-0657
Phone: (850) 488-9370.

FOR FURTHER INFORMATION ON FLORIDA'S SCHOOL TO WORK INITIATIVE, CONTACT:

SCHOOL TO WORK JOINT SERVICES OFFICE

Florida Department of Labor and Employment Security
1320 Executive Center Drive
Tallahassee, Florida 32399-0667
Phone: (850) 488-7228
Fax: (850) 487- 1753
Judy Meyer, Coordinator
Adrienne Henzmann, Facilitator

Florida Department of Education
325 West Gaines Street, Room 752
Tallahassee, Florida 32399-0400
Phone: (850) 488-7394
Fax: (850) 488-3192
Michael Brawer, Director
John Marshall
Gayle Manley
Talmidge Rushing
David Heron
Barbie Williamson
Christi Taylor

STW Training and Student Learner Exemption Agreements

EXEMPTION AGREEMENTS

With the implementation of Florida's School-to-Work (STW) system, many more students are entering the workplace. The Florida Department of Labor and Employment Security (DLES) is totally committed to the need for students to engage in positive work-based learning experiences. In pursuit of this goal, DLES and the Department of Education developed two processes to allow easier placement in approved work-based learning models. The first process, the "Training Agreement," allows a variance from hours restrictions imposed by the Florida Child Labor Law. With the second, the "Student Learner Exemption Agreement," students can be employed in specific occupations declared hazardous by the Florida Child Labor Law.

DLES believes in these processes as a way to market STW students while having their work experience monitored by a teacher for its effect on grades and attendance. We believe that students will do better at school and work through this coordinated effort. Students can take advantage of opportunities that otherwise might not be available to a teenager seeking employment. Sample forms are included for your use.

Training Agreement

A STW Training Agreement must be completed and signed for any STW student in paid employment who needs to work hours not in keeping with state law. A training agreement may be used to vary any hours requirement for 16- and 17-year olds. However, there are federal restrictions for students who are 14 and 15 years of age. The variances for this age group are more restrictive. Please contact DLES, State Child Labor Office, (800) 226-2536, for help in completing the agreement for this age group. A training agreement should not be executed for minors under 14 years of age.

Student Learner Exemption Agreement

The Child Labor Law Hazardous Occupation, Student Learner Exemption Agreement may only be executed in approved STW programs that provide specific skills training and result in placement of students in employment specifically related to that training. This agreement only applies to 16- and 17-year-old student learners and specific occupations.

Note: The training agreement and student learner exemption agreement should only be used for STW placements. These processes are designed to encourage students to choose school placement over independent job search.

SAMPLE

SCHOOL-TO-WORK TRAINING AGREEMENT

Student Name:_____ Telephone:_____

Street:_____ Date of Birth:_____ Social Security #:_____

City: _____ State: _____ Zip:_____

Employer Name: _____ Telephone:_____

Employer Address: _____

Days per Week: _____ Hours per Day: _____ Hours _____ A.M and _____ P.M.

Career Cluster:_____ Training/Occupation Title: _____

Career Clusters:

Health-care services
Hospitality/tourism/entertainment
Information and telecommunications
Construction-related work
Human and social services
Finance and insurance

School Name:_____ School Location:_____

Work-Based Learning Activity: (Check all that apply)

❒ Apprenticeship
❒ Preapprenticeship
❒ Registered Apprenticeship
❒ Clinical/Practicum
❒ Cooperative Education
❒ Internship (Student)
❒ Job Shadowing
❒ Mentoring
❒ On-the-Job Training
❒ School Enterprise

EMPLOYER'S RESPONSIBILITIES IN SCHOOL-TO-WORK: The employer agrees to place the trainee in the work specified above for the purpose of providing occupational experience of instructional value. The work activity will be under the supervision of a qualified supervisor. The work will be performed under safe and hazard free conditions. The trainee will receive the same consideration given employees with regard to safety, health, social security, general work conditions and other policies and procedures of the firm. The employer will adhere to all State and Federal Regulations regarding employment, child labor laws and minimum wages, and will not discriminate in employment policies, educational programs or activities for reasons of race, sex, color, religion, national origin, marital status, age or handicap.

STW COORDINATOR'S RESPONSIBILITIES IN SCHOOL-TO-WORK: The teacher/coordinator agrees to visit each trainee at the training station and will continue a close working relationship with the person to whom the trainee is responsible while on the job. The teacher/coordinator shall attempt to resolve any complaints through the cooperative efforts of all parities concerned. The teacher/coordinator will meet with each trainee's parent and/or guardian prior to job placement and during the school year. The local education office will keep each trainee's Training Agreement on file for three (3) years.

PARENT'S/GUARDIAN RESPONSIBILITIES IN SCHOOL-TO-WORK: Parent and/or guardian agree for the student to participate in School-to-Work as provided by the public schools.

STUDENT'S RESPONSIBILITIES IN SCHOOL-TO-WORK: The trainee agrees to follow rules and guidelines established by the school, employer and coordinator with regard to hours of work, school attendance and reporting procedures.

ALL SIGNATORIES AGREE TO COMPLY WITH THE RESPONSIBILITIES SPECIFIED IN THE TRAINING AGREEMENT.

_____ Date_____
Student

_____ Date_____
STW Coordinator

_____ Date_____
Parent or Guardian

_____ Date_____
Employer

_____
Employer's Insurance Carrier

_____
Carrier's Contact Person

SAMPLE

Child Labor Law Hazardous Occupation
Student Learner Exemption Agreement

Last Name	First Name	MI	Social Security No.	Date of Birth

District	School	Training Program #

CHECK THE HAZARDOUS OCCUPATION(S) FOR WHICH THE EXEMPTION APPLIES:

____ On a scaffolding, roof, superstructure, residential or nonresidential building construction, or ladder above 6 feet.

____ In the operation of power-driven woodworking machines.

____ In the operation of power-driven metal forming, punching, or shearing machines

____ Slaughtering, meat packing, processing, or rendering, except as provided in 29 C.F.R. part 570.61(c).

____ In the operation of power-driven paper products and printing machines.

____ Excavation operations.

____ Working on electric apparatus or wiring.

____ Operating or assisting to operate, including starting, stopping, connecting or disconnecting, feeding, or any other activity involving physical contact associated with operating, tractors over 20 PTO horsepower, any trencher or earthmoving equipment, fork lift, or any harvesting, planting, or plowing machinery, or any moving machinery.

In accordance with Section 450.061(2), the undersigned attest to the following.

(1) The student learner is enrolled in a youth vocational training program under a recognized state or local educational authority.

(2) The work of the student learner in the occupation declared particularly hazardous is incidental to the training received.

(3) That the work performed shall be intermittent and for short periods of time and under the direct and close supervision of a qualified and experienced person.

(4) That safety instructions shall be given by the school and correlated by the employer with on-the-job-training.

(5) That the student has a schedule of organized and progressive work processes to perform on the job.

Student's Name (type or print)	Student's Signature
Parent's/Guardian's Name (type or print)	Parent's/Guardian's Signature
Employer's Name (type or print)	Employer's Signature
Coordinator's Name (type or print)	Coordinator's Signature
Principal's Name (type or print)	Principal's Signature
Optional: Superintendent's Name (type or print)	Optional: Superintendent's Signature

A copy of this agreement shall be maintained by the employer and the school.

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Annotated Bibliography

TITLE: ***Florida Child Labor Law Handbook***
YEAR: 1996
AVAILABILITY: Florida Department of Labor and Employment Security, Bureau of Compliance/Child Labor Section, P.O. Box 5436, Tallahassee, FL 32314-5436, (850) 487-2536, (800) 226-2536, Fax (850) 487-4928
ABSTRACT: This booklet is intended to summarize the contents of the Child Labor Law and the Federal Fair Labor Standards Act, as well as provide supplemental materials such as a copy of the Child Labor Law and a list of key terms. The Child Labor Rule promulgated in 1993 provides additional rules and regulations that govern the employment of minors, specifically, minors employed by the entertainment industry.
FORMAT: Handbook, 28 pp., free

TITLE: ***Legal Aspects of Youth Apprenticeships: What You Should Know***
YEAR: 1994
AUTHOR: Lightner, Stan; Harris, Edward L.
AVAILABILITY: ERIC Document Reproduction Service, Suite 110, 7420 Fullerton Road, Springfield, VA 22153-2852, (800) 443-ERIC (374) or (703) 440-1400
ABSTRACT: The increase in apprenticeships and on-the-job experiences at schools and vocational institutions has increased school administrators' and employers' legal responsibilities. One major legal concern is responsibility for student injury at the training site. While all states have workers' compensation laws, states have varying laws concerning minors. Federal laws may also apply to minors and workers' compensation. Other factors may influence the applicability of workers' compensation laws. If a minor is illegally hired, workers' compensation laws may not apply and the employer may be held liable for injuries. Another contractual question is whether an apprentice is a paid employee or a student learner. If apprentices are paid, they are most likely legally defined as employees and are eligible for benefits, with some exceptions. Violation of child labor laws is another concern that is greater for trade and industrial educators than others. Different states have approached the legal problems concerning apprenticeships in different ways. Some states have provisions in their workers' compensation laws to include minors. Other states regulate insurance companies' ability to limit apprenticeship programs. (Contains 23 references.) (JPT)
FORMAT: Guide, 13 pp., $3.97 (order no. ED368081)

TITLE: ***Minor Laws of Major Importance: A Guide to Federal and State Child Labor Laws***
YEAR: 1994
AUTHOR: Fraser, Bryna Shore; and Others
AVAILABILITY: Publications Desk: School-to-Work (NIWL), Academy for Educational Development, Suite 900, 1875 Connecticut Avenue, NW, Washington, DC 20009, (202) 884-8700
ABSTRACT: Although at least one-third of U.S. high school students are employed, many parents, employers, and workers are confused or uninformed regarding the mix of federal and state laws that apply to young people in the workplace. This guide is a sourcebook on federal and state legislation that affects workers under the age of 18. It describes exactly what laws apply to specific work situations for employed youth. The guide covers

employer responsibilities, employment age certification, age restrictions, occupation restrictions, hour restrictions, and hazardous occupation restrictions covered by federal laws. The guide also summarizes state regulations on wage, occupation, and hour laws for minors and provides a list of telephone numbers of the offices in each state that regulate youth employment. (KC)

FORMAT: Guide, 46 pp., $10.95

TITLE: ***School-to-Work and Employer Liability: A Resource Guide***
YEAR: 1997
AVAILABILITY: The National School-to-Work Office (NSTWO), 400 Virginia Avenue, SW, Room 210, Washington, DC 20024, (800) 251-7236, Fax (202) 401-6211
ABSTRACT: To assist employers who hire students under the School-to-Work initiative, the NSTWO has written a guide to legal issues related to work-based learning. The guide features information on child labor, workers' compensation, unemployment insurance, immigration, anti-discrimination, and tort liability laws, as well as a list of state contacts and additional resources.
FORMAT: Guide, 15 pp., free (http://www.stw.ed.gov)

TITLE: ***State of Florida Child Labor Law: Poster***
YEAR: 1996
AVAILABILITY: Florida Department of Labor and Employment Security, Bureau of Compliance/Child Labor Section, P.O. Box 5436, Tallahassee, FL 32314-5436, (850) 487-2536, (800) 226-2536, Fax (850) 487-4928
ABSTRACT: The law requires employers to display this poster where minor employees can readily see it. The Florida child labor law applies to teenagers under the age of 18. The poster highlights some of the regulations governing the working relationship between minors and employers. Highlighted sections include employer documentation requirements, hours of employment and exemptions, partial waivers, prohibited occupations, and federal information.
FORMAT: Poster, 2 pp., free

TITLE: ***Understanding and Applying Child Labor Laws to Today's School-to-Work Transition Programs***
YEAR: 1995
AUTHOR: Beyer, Dorianne
AVAILABILITY: National Center for Research in Vocational Education, University of California at Berkeley, Suite 1250, 2150 Shattuck Avenue, Berkeley, CA 94720-1674, (800) 762-4093
ABSTRACT: Many people fail to realize the extensiveness and comprehensiveness of federal and state child labor laws. Although the 1994 School-to-Work Opportunities Act did not detail the legal compliance needed by its state-funded agencies, it clearly indicates that federal and state child labor laws will apply to its employment and employment-related programs and that compliance with their restrictions is mandatory. References to some single body of regulation as "child labor law" are inaccurate. In reality, the United States has 51 sets of child labor laws plus the Fair Labor Standards Act of 1938 (FLSA). Some states adhere

closely to the federal law; however, other states' rules are notably stricter than the federal provisions. Except where there are specific exemptions, employment of workers under age 18 is regulated by the FLSA; however, school activities meeting technical criteria constituting bona fide educational training experiences are exempt from the FLSA. Training program administrators should check their states' child labor laws by calling the nearest State Labor Department office. (This article lists names/addresses of individuals to contact regarding state and District of Columbia child labor laws.) (MN)

FORMAT: Article, 9 pp., free

Contacts

Fair Labor Standards Act

U.S. Department of Labor
Employment Standards Administration, Wage-Hour Division

Atlanta Region
1375 Peachtree Street, NE
Room 662
Atlanta, GA 30367
Tel: (404) 347-4801
Fax: (404) 347-0183

Florida Child Labor Law

Florida Department of Labor and Employment Security
Division of Jobs and Benefits

Bureau of Compliance
2661 West Executive Center Circle
Tallahassee, FL 32399-2150
Tel: (800) 226-2536
(850) 487-2536
Fax: (850) 487-4928
Administrator: Alecia Faughn
Coordinator: Michelle Collins
Investigator: Don Symonette

Areas of Coverage: (Panhandle West) Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla, Walton, Washington

Cocoa Jobs and Benefits
Suite A
840 Forrest Avenue
Cocoa, FL 32922-7593
Tel: (407) 690-3220
Fax: (407) 690-3218
Investigator: Lori Shelby
Pager: 1 (800) 241-4653
PIN: 274-5120

Areas of Coverage: (East Central) Brevard, Flagler, Indian River, Martin, Okeechobee, Osceola, Seminole, St. Lucie, Volusia

Gainesville Jobs and Benefits
P.O. Box 2220
Gainesville, FL 32602
Tel: (352) 955-2245
Fax: (352) 955-5067
Investigator: Jeff Parker

Areas of Coverage: (North Central) Alachua, Baker, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Marion, Suwannee, Union

Palatka Jobs and Benefits
Suite B
820 Reid Street
Palatka, FL 32177-3647
Tel: (904) 329-3724
Fax: (904) 329-3709
Investigator: Marshall Carroll

Areas of Coverage: (Panhandle East) Baker, Clay, Duval, Nassau, Putnam, St. Johns

Orlando West Jobs and Benefits
3113 West Colonial Drive
Orlando, FL 32808-8005
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CONTACTS

Areas of Coverage: (West Central) Citrus, Hardee, Hernando, Highlands, Lake, Levy, Orange, Pasco, Polk, Sumter

Winter Haven Jobs and Benefits
Fourth Floor
500 East Lake Howard
Winter Haven, FL 33882-1352
Tel: (941) 295-5957
Fax: (941) 259-5958
Field Supervisor: Herbert Mize
Investigator: Patricia VanHorn
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Areas of Coverage: (Southwest) Hillsborough, Pinellas

Hollywood Jobs and Benefits
4205 Hollywood Boulevard
Hollywood, FL 33021
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Areas of Coverage: (Southeast) Broward, Palm Beach

Homestead Jobs and Benefits
381 North Krome Avenue
Homestead, FL 33030
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Areas of Coverage: (South) Dade, Monroe

Belle Glade Jobs and Benefits
555 Southwest Sixteenth Street
Belle Glade, FL 33430
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Fax: (561) 992-1397
Field Supervisor: David Clark

Ft. Myers Jobs and Benefits
P.O. Box 7766
Ft. Myers, FL 33911-7766
Tel: (941) 278-7140
Fax: (941) 278-7353
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Areas of Coverage: (South Central) Charlotte, Collier, DeSoto, Glades, Hendry, Lee, Manatee, Sarasota

For further information on Florida Child Labor Law, contact

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School-to-Work

Florida School-to-Work Joint Services Office
Florida Department of Education
754 Turlington Building
325 West Gaines Street
Tallahassee, FL 32399-0400
Tel: (850) 488-7394
Fax: (850) 488-3192

Florida School-to-Work Clearinghouse
Educational Services Program
Florida State University
251 Sliger Building
2035 East Dirac Drive
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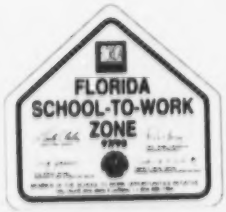

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